
Hartford
SUPERIOR COURT

Short Calendar

Hon. Samuel Freed, Room 1 (Center Court)
Hon. Robert Satter, Room 115
95 Washington St.
9:30 A.M.

Provided the matter has been marked "READY," argument will be heard on the day scheduled for short calendar on the following motions: "As of Right" motions listed in P.B. § 11-18 including Motions for Judgment of Foreclosure, Deficiency Judgments, Motions to Approve Committee Sale, Deed, Report, Expenses and Fees, Motions to Open Judgment, Motions for Protection from Foreclosure, and Motions for Judgment on the Mortgage Note.

When uncontested, Motion for Deficiency Judgments and Motions to Approve Committee Sale, Deed, Report, Expenses and Fees will be taken on the papers as non-arguable matters. It shall be at the Court's discretion to accept a "TAKE PAPERS" marking on an "As of Right" motion; those matters for which argument is deemed unnecessary will be taken on the papers while those motions for which argument is required by the Court will be scheduled for a hearing at a later date. The clerk will notify the parties of the hearing date by mail.

Any "Not As of Right" motion which has printed with an "As of Right" motion may be marked "TAKE PAPERS" or, if oral argument is requested pursuant to P.B. § 11-18, it may be marked "READY." If the "Not as of Right" motion is marked "READY" in conjunction with the "As of Right" motion, the Court will hear the matter on the day scheduled for short calendar. If only the "Not As of Right" motion has been marked "READY," the judge will determine whether oral argument is necessary. If oral argument is necessary, a hearing will be scheduled and the clerk will notify the parties of the hearing date by mail. Those matters for which argument is deemed unnecessary will be decided on the papers.

- An Affidavit of Appraisal should be submitted in lieu of testimony except
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where fair market value is contested. In the case of deficiency judgments, the appraiser shall testify if the appraisal is lower than the fair market value found at the date of judgment or if the fair market value is contested.

- The following originals should be submitted at the hearing on Motion for Judgment of Strict Foreclosure or Motion for Judgment of Foreclosure by Sale: Mortgage Note and Deed (or Affidavit of Loss), Appraisal Report, Affidavit of Debt with updated computation of the debt to day of judgment, and any necessary military affidavits.

- Opposing parties contesting value must file a Notice of Intent to Argue at least 3 days prior to hearing and must certify copies to all counsel and pro se parties of record.

- After a Foreclosure by Sale, the Motion for Supplemental Judgment is to be filed with a copy of the proposed judgment. If supplemental judgment disbursement is held by the clerk, the debt should be calculated to date of disbursement. No appearance should be necessary for a Motion for Supplemental Judgment.

- The Plaintiff shall file an appropriate affidavit indicating compliance with C.G.S. § 8-265dd (the Emergency Mortgage Assistance Payment Program).

- Defaults will not be granted at the time of judgment unless such motions have been filed pursuant to P.B. § 17-20 (Failure to Appear), P.B. § 17-32 (Failure to Plead), and P.B. § 13-19 (No Disclosure of Defense) and there has been compliance with the notice requirements as prescribed in the respective rules. Defaults for Failure to Appear, except as provided in P.B. § 17-23 through 17-30, and Defaults for Failure to Plead will be granted by the clerk. Defaults for Failure to Disclose a Defense will only be placed on the short calendar or heard after compliance with the notice requirements prescribed in P.B. § 10-12 through 10-17.

Counsel and parties appearing pro se are directed NOT to appear at the call of the short calendar, unless they have a matter appropriately ready for argument.

For matters not addressed above, if counsel wishes to request argument on a matter not arguable as of right,

(1) the moving party is to indicate this request on the bottom of the first page of the document and any short calendar reclaim and

(2) counsel is to call in and mark the case "ready" for adjudication in accordance with the established procedures indicated in the short calendar notice.

Counsel/parties to the action will be notified of the date and time to appear to argue their matter before the court, if the court determines that argument is necessary.

Every matter printed on the short calendar must be marked "ready" for the motion to be considered by the court. All matters not so marked will go "off" the short calendar.

The moving party or the party who caused the matter to appear on the calendar **MUST ALSO GIVE TIMELY NOTICE TO OPPOSING PARTIES OF ALL ARGUABLE MATTERS.** The court will consider sanctions, including fees for opposing counsel, in cases where timely notice of the moving party's intent is not provided. **THE COURT WILL ENTER A DISMISSAL OR DEFAULT AGAINST THE MOVING PARTY IN CASES SET FOR ORAL ARGUMENT WHICH ARE MARKED READY AND DO NOT GO FORWARD UNLESS EXCUSED BY THE COURT.**

P.B. Sec. 23-17 (Listing of Law Days) must be complied with.

MOTIONS FOR JUDGMENT must be served on each appearing defendant, in accordance with P.B. Sec. 10-12, with the following, if applicable: copies of the mortgage, note and deed unless already attached to the complaint, a copy of the appraisal report, a copy of the affidavit of debt. The original motion for judgment that is filed with the court should contain a certification that such service was made, **BUT SHOULD NOT HAVE ANY ATTACHMENTS.**

ALL AFFIDAVITS OF DEBT submitted to the court must include:

- 1) The date from which interest is calculated
- 2) The date to which interest is calculated (the day of judgment)
- 3) The interest rate
- 4) The per diem.

Any affidavit of appraisal should contain, in addition to the valuation broken down by the land and buildings, a description of the property, the approximate age of the any building and their physical condition. Whenever an affidavit is used, an appraisal fee will be authorized. Where the appraisal is contested and the plaintiff's appraiser testifies, an additional fee will be granted.

COUNSEL SEEKING DEFICIENCY JUDGMENT MUST COMPLETE WORKSHEET AVAILABLE FROM THE CLERK'S OFFICE AND SUBMIT IT WITH MOTION FOR DEFICIENCY JUDGMENT.

1) Short Calendar markings will occur from 9:00 a.m. Tuesday to 4:00 p.m. Thursday of the week preceding the Civil Short Calendar. In the event a state holiday falls on Thursday preceding the calendar, matters may be marked from 9:00 a.m. Tuesday to 5:00 p.m. Wednesday. If a state holiday falls on Friday preceding the calendar, matters may be marked from 9:00 a.m. Tuesday to 11:00 a.m. Thursday. Upon release of the Short Calendar Markings Entry transaction on the Judicial Branch website, markings may be submitted electronically based upon the above time periods except that the periods will commence upon system availability, generally 7:00 a.m. Tuesday.

2) Regardless of the method of transmittal, counsel and pro se parties are required to provide the following information when making a marking:

- Column number and position on the calendar;
- Name and docket number of the case;
- Number and title of motion;
- Marking;
- Full name of the person making the marking and the firm name, if applicable; and
- Confirmation that all counsel and pro se parties of record have been notified of the marking.

3) Counsel and pro se parties shall bring the confirmation of the marking to the short calendar hearing of an arguable matter. This may be in the form of a fax and a transmittal confirmation sheet, a Short Calendar Markings Confirmation and Receipt produced upon completion of the electronic Short Calendar Markings Entry transaction or a detailed signed statement from the person who telephoned the marking to the court.

4) A fax and a transmittal confirmation sheet, or a Short Calendar Markings Confirmation and Receipt produced upon completion of the electronic Short Calendar Markings Entry transaction serve as an acknowledgment of delivery. A telephone call to confirm delivery is not required. The unnecessary duplicative action of calling to verify receipt is burdensome to the clerk's offices.

THE CLERK'S OFFICE WILL ALSO ACCEPT TELEPHONE, FAX OR EMAIL MARKINGS. Telephone markings may be made to 548-2707, an automated marking line. Faxed markings may be faxed to 548-2711. Email markings should be emailed to CivilShortcal.HJD@jud.ct.gov.

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